

CERTIFICATE OF MAILING

I hereby certify that this paper or, if this paper is a transmittal letter, every other paper or fee referred to therein, is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to Commissioner of Patents & Trademarks, Washington, DC 20231, on

December 6, 2000
12/6/00

(Date of Deposit)

L. Berd

Date

Name

PLEASE CHARGE ANY DEFICIENCY UP TO \$300.00
CREDIT ANY EXCESS IN THE FEES DUE WITH THIS
DOCUMENT TO OUR DEPOSIT ACCOUNT NO. 04-0100

#412/29/00
Bray
RECEIVED

DEC 14 2000

TECH CENTER 1600/2900

Docket No.: 1225/1E251*US1*



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: David Berd

Serial No.: 09/304,859

Art Unit: 1642

Filed: May 4, 1999

Examiner: J. Hunt

For: COMPOSITION COMPRISING TUMOR CELL AND EXTRACTS AND
METHOD OF USING THEREOF

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF APPEALS

Hon. Commissioner of
Patents and Trademarks
Washington, DC 20231

Sir:

Applicant hereby appeals to the Board of Appeals from the decision
dated June 7, 2000 of the Primary Examiner finally rejecting claims 1-10 and
12-24.

The item(s) checked below are applicable:

12/13/2000 SLUANG1 00000071 09304859

02 FC:219

155.00 OP

1. An extension of time to respond to the final rejection is required: a petition and fee of \$445.00 are enclosed.
2. A timely response to the final rejection has been filed.
3. Fee \$.00: Fee \$155.00 (small entity):

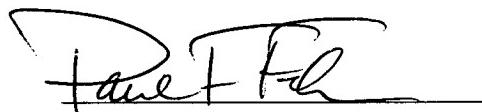
[] Enclosed

[] Not required (fee paid in prior appeal)

[] Charge any deficiency to Deposit Account No. 04-0100

Respectfully submitted,

Dated: December 5, 2000



Paul F. Fehlner, Ph.D.
Reg. No. 35,135
Attorney for Applicant(s)

DARBY & DARBY P.C.
805 Third Avenue
New York, New York 10022
212-527-7700